



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Patent Examining Operations

Applicant(s): Paul E. Young

Serial No: 10/561,372

Art Unit: 1634

Filed: 23 April 2007

Examiner: Martinell, J.

TITLE: IDENTIFICATION OF THERAPEUTIC AGENTS USING GENETIC
FINGERPRINTING

Docket No.: 689290-258

1 December 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION

Sir:

In response to the Office Action, dated 19 November 2009, Applicants herewith elect the invention of Group I (claims 1-16), drawn to methods for identifying compounds by comparing gene expression profiles of treated and non-treated cells.

Because there was no requirement for an election of species, while claim 1 is generic to all of the elected claims, Applicants believe that all of claims 1 to 16 encompass the elected invention.

Applicants direct the Examiner's attention to the Summary page, where claims 1-32 are listed as being objected to. A telephone call to the Examiner by Applicant's below-named agent confirmed that this was an oversight and that the claims are not objected to but should have been indicated as being subject to restriction.

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No fees are believed due in filing this response correspondence. The Commissioner is authorized to charge payment of any additional fees required under 37 CFR 1.17 associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

FIRST CLASS CERTIFICATE

I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:

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 12/1/09
Alan J. Grant, Esq. Date

Respectfully submitted,



Alan J. Grant, Esq.
Reg. No. 33,389

CARELLA, BYRNE BAIN, GILFILLAN,
CECCHI, STEWART & OLSTEIN
Six Becker Farm Road
Roseland, NJ 07068
Phone: 973-994-1700
Fax: 973-994-1744